

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BERT WAYNE DAVISSON, *et al.*,

Defendants.

Case No.: 2:16-cr-00265-GMN-NJK

ORDER

Pending before the Court is the Report and Recommendation of the Honorable United States Magistrate Judge Nancy J. Koppe, (ECF No. 2032), which states that Defendant Bert Davisson's ("Defendant's") Motion to Dismiss Counts 7 and 9, (ECF No. 1898), should be granted as to Count 7 and denied as to Count 9.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

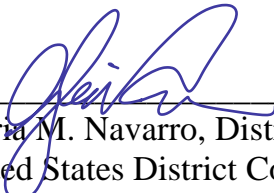
Here, no objections were filed, and the deadline to do so has passed.

1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 2032), is
3 **ACCEPTED and ADOPTED in full.**

4 **IT IS FURTHER ORDERED** that Defendant Bert Davisson's Motion to Dismiss
5 Counts 7 and 9, (ECF No. 1898), is **GRANTED in part** and **DENIED in part**. Specifically,
6 the Motion is granted as to all Defendants charged in Count 7 of the Superseding Indictment.¹
7 The Motion is denied as to Count 9.

8 **DATED** this 14 day of January, 2020.

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12 Gloria M. Navarro, District Judge
13 United States District Court
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25 ¹ Co-defendants are joined in Davisson's Motion to Dismiss. (See Oct. 17, 2018 Minute Order, ECF No. 1328)
(providing that "each Defendant in this case will automatically be considered joined to all motions filed after the
date of this Order, by their co-Defendants, unless a Defendant files a notice indicating that they do not wish to
join a particular motion.").